



12-23-04

RCE
JRW

PTO/SB/30 (09-04)

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| <p style="text-align: center;">Request For Continued Examination (RCE) Transmittal</p> <p>Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> | Application Number | 09/555,986-Conf. #9461 |
| | Filing Date | August 17, 2000 |
| | First Named Inventor | Gregor Cevc |
| | Art Unit | 1615 |
| | Examiner Name | G. S. Kishore |
| | Attorney Docket Number | 57,273 (47126) |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. Other _____

b. Enclosed

i. Amendment/Reply iii. Information Disclosure Statement (IDS)

ii. Affidavit(s)/Declaration(s) iv. Other _____

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-1105. I have enclosed a duplicate copy of this sheet.

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other _____

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | | |
|-------------------|------------------------|--|------------------|-------------------|
| Signature | | | Date | December 21, 2004 |
| Name (Print/Type) | Lisa Swiszczyk Hazzard | | Registration No. | 44,368 |

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV517915854US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 21, 2004

Signature:

(Lakeisha Bryant)

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Docket No. 57273 (47126)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: G. Cevc

U.S. SERIAL NO.: 09/555,986 GROUP: 1615

FILED: August 17, 2000 EXAMINER: G.S.Kishore

FOR: FORMULATION FOR TOPICAL NON-INVASIVE APPLICATION IN VIVO (Formerly, Method for Developing, Testing and Using Associates of Macromolecules and Complex Aggregates for Improved Payload and Controllable De/Association Rates)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PRELIMINARY AMENDMENT

A Notice of Appeal was filed on September 23, 2004. Enclosed herewith is a Request for Continued Examination (RCE), which is being filed within two months of the Notice of Appeal. Please amend the application as follows:

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.

Amendments to the claims:

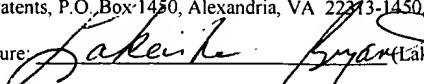
This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of claims:

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Dated: December 21, 2004

Signature:  (Lakeisha Bryant)